

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 28, 2012

HOUSE RESOLUTION 130

H-8347

1 Amend House Resolution 130 as follows:

2 1. Page 3, after line 21 by inserting:

3 <BE IT FURTHER RESOLVED, That Rule 31, subsection
4 8, of the Rules of the House, as adopted by the
5 House of Representatives during the 2011 Session
6 in House Resolution 11, as amended by the House of
7 Representatives during the 2012 Session in House
8 Resolution 102, is amended to read as follows:

9 8. No amendment to the rules of the house, to any
10 resolution or bill, except technical amendments and
11 amendments to bills substituted for by senate files
12 containing substantially identical title, language,
13 subject matter, purpose and intrasectional arrangement,
14 shall be considered by the membership of the house
15 without a copy of the amendment having been filed with
16 the chief clerk by 4:00 p.m. or within one-half hour of
17 adjournment, whichever is later, on the day preceding
18 floor debate on the amendment. If the house adjourns
19 prior to 2:00 p.m. on Friday, the final deadline is two
20 hours after adjournment. However, committee amendments
21 filed pursuant to the submission of the committee
22 report may be accepted after this deadline. This
23 provision shall not apply to any proposal debated on
24 the floor of the house after the thirteenth week of
25 the first session and the eleventh week of the second
26 session. No amendment or amendment to an amendment
27 to a bill, rule of the house, or resolution shall be
28 considered by the membership of the house without
29 a copy of the amendment being on the desks of the
30 entire membership of the house prior to consideration.
31 However, the membership of the house may consider an
32 amendment or an amendment to an amendment to a bill,
33 rule of the house, or resolution without a copy of the
34 amendment being on the desks of the entire membership
35 of the house prior to consideration if a copy of the
36 amendment is made available to the entire membership of
37 the house electronically. However, no amendment to an
38 amendment to any resolution or bill, which amendment to
39 the amendment strikes everything after the resolving or
40 enacting clause, shall be considered by the membership
41 of the house unless a copy of the amendment to the
42 amendment is made available to the entire membership of
43 the house three days prior to consideration.>>

By THOMAS of Clayton

H-8347 FILED MARCH 27, 2012

Senate Amendment to
HOUSE FILE 2390

H-8353

1 Amend House File 2390, as passed by the House, as
2 follows:
3 1. Page 3, line 8, after <act.> by inserting <A
4 visual depiction containing pictorial representations
5 of different minors shall be prosecuted and punished as
6 separate offenses for each pictorial representation of
7 a different minor in the visual depiction. However,
8 violations of this subsection involving multiple visual
9 depictions of the same minor shall be prosecuted and
10 punished as one offense.>

RECEIVED FROM THE SENATE

H-8353 FILED MARCH 27, 2012

HOUSE FILE 2450

H-8360

1 Amend House File 2450 as follows:
2 1. Page 1, after line 8 by inserting:
3 <1A. Notwithstanding subsection 1, a local
4 authority that is using an automated traffic law
5 enforcement system prior to the effective date of this
6 Act may continue to use the system if the authority
7 submits an affidavit to the department of management on
8 or before June 30, 2012, certifying that discontinuing
9 the use of the automated traffic law enforcement
10 system would create a need for additional property
11 taxes to support operations and services of the local
12 authority.>
13 2. Page 1, by striking lines 22 through 25 and
14 inserting <enforcement system shall discontinue
15 using the system and remove all automated traffic law
16 enforcement system equipment from the highways on or
17 before July 1, 2012, unless the local authority has
18 submitted an affidavit to the department of management
19 pursuant to section 321.5A, subsection 1A, as enacted
20 by this Act.>
21 3. Page 1, by striking line 26 and inserting:
22 <2. Except as provided in section 321.5A,
23 subsection 1A, as enacted by this Act, on July 1, 2012,
24 all local>
25 4. Title page, line 1, by striking <prohibiting>
26 and inserting <relating to>
27 5. By renumbering as necessary.

By T. OLSON of Linn

H-8360 FILED MARCH 27, 2012

Senate Amendment to
HOUSE FILE 2292

H-8370

1 Amend House File 2292, as passed by the House, as
2 follows:
3 1. Page 1, after line 13 by inserting:
4 <Sec. _____. FEDERAL LAW. A person who confines fish
5 as provided in this Act shall comply with applicable
6 national pollutant discharge elimination system permit
7 requirements as provided in the federal Water Pollution
8 Control Act, 33 U.S.C. ch. 26, as amended, and 40
9 C.F.R. pts. 122 and 412.>
10 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8370 FILED MARCH 27, 2012

HOUSE FILE 2449

H-8372

1 Amend House File 2449 as follows:

2 1. Page 2, by striking lines 12 through 30.

3 2. By striking page 3, line 25, through page 4,
4 line 17, and inserting:

5 <Sec. _____. STATE EMPLOYEE HEALTH INSURANCE TASK
6 FORCE.

7 1. A state employee health insurance task force
8 is created under the authority of the legislative
9 council. Members of the task force shall be appointed
10 by the legislative council and shall include but
11 not be limited to members of the general assembly;
12 representatives of employee organizations representing
13 state employees; representatives of employers of
14 state employees, including the judicial branch;
15 representatives involved in administering employee
16 health benefits from the department of administrative
17 services; and representatives from insurers providing
18 group health insurance to state employees.

19 2. The task force shall examine all aspects of
20 providing health care coverage to state employees
21 and their families with the goal of providing quality
22 health care coverage at an affordable cost. The task
23 force shall examine strategies for reducing the cost
24 of health care coverage, including but not limited to
25 wellness and other comparable programs.

26 3. The task force shall submit a report, including
27 its findings and recommendations, to the general
28 assembly by December 31, 2012.>

29 3. By striking page 4, line 33, through page 5,
30 line 8, and inserting:

31 <DIVISION ____
32 SPAN OF CONTROL

33 Sec. _____. SPAN OF CONTROL COMPLIANCE.

34 1. The department of management, in collaboration
35 with the department of administrative services,
36 shall comply with the requirements of section 8A.402,
37 subsection 2, paragraph "g", concerning the ratio of
38 supervisory employees to other employees in executive
39 branch agencies.

40 2. In complying with the requirements of subsection
41 1, the department of management shall, by July 31,
42 2012, do all of the following:

43 a. Ensure that a five-member review board as
44 described in section 8A.402, subsection 2, paragraph
45 "g", is established.

46 b. Submit a report to the general assembly
47 documenting, for all applicable executive branch
48 agencies, whether the executive branch agency
49 has met the target aggregate ratio as provided in
50 section 8A.402, subsection 2, paragraph "g", has

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1 been granted an exception to the policy through the
2 executive council, or has been granted a waiver by the
3 five-member review board.

4 3. Notwithstanding any provision of law to the
5 contrary, any appropriation from the general fund
6 of the state to the department of management for the
7 fiscal year beginning July 1, 2012, and ending June
8 30, 2013, shall be reduced by ten percent if the
9 department of management fails to comply with all of
10 the requirements of subsection 2.

11 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
12 of this Act, being deemed of immediate importance,
13 takes effect upon enactment.>

14 4. By renumbering, redesignating, and correcting
15 internal references as necessary.

By LENSING of Johnson

H-8372 FILED MARCH 27, 2012

SENATE FILE 430

H-8374

1 Amend the amendment, H-8270, to Senate File 430,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, after line 18 by inserting:

5 <____. Page 3, by striking lines 32 through 35 and
6 inserting:

7 <2. Appointments to the board shall be subject to
8 sections 69.16 and 69.16A.>>

9 2. Page 2, after line 27 by inserting:

10 <____. Page 9, line 25, after <respondent.> by
11 inserting <Notwithstanding section 17A.10A, if there
12 are no material facts in dispute, the board may order
13 that the contested case procedures relating to the
14 presentation of evidence shall not apply.>

15 _____. Page 10, after line 11 by inserting:

16 <(3) Require the respondent to take any remedial
17 action deemed appropriate by the board.>>

18 3. By renumbering as necessary.

By ROGERS of Black Hawk

H-8374 FILED MARCH 27, 2012

SENATE FILE 364

H-8369

1 Amend Senate File 364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, after line 35 by inserting:

4 <Sec. _____. Section 148B.2, subsection 2, Code 2011,
5 is amended to read as follows:

6 2. "Occupational therapy" means the therapeutic
7 ~~application of specific tasks used for the purpose of~~
8 ~~evaluation and treatment of problems interfering with~~
9 ~~functional performance in persons impaired by physical~~
10 ~~illness or injury, emotional disorder, congenital or~~
11 ~~developmental disability, or the aging process in~~
12 ~~order to achieve optimum function, for maintenance of~~
13 ~~health and prevention of disability use of occupations,~~
14 including everyday life activities with individuals,
15 groups, populations, or organizations to support
16 participation, performance, and function in roles and
17 situations in home, school, workplace, community, and
18 other settings. Occupational therapy services are
19 provided for habilitation, rehabilitation, and the
20 promotion of health and wellness to those who have
21 or are at risk for developing an illness, injury,
22 disease, disorder, condition, impairment, disability,
23 activity limitation, or participation restriction.
24 Occupational therapy addresses the physical, cognitive,
25 psychosocial, sensory-perceptual, and other aspects of
26 performance in a variety of contexts and environments
27 to support engagement in occupations that affect
28 physical and mental health, well-being, and quality of
29 life.

30 Sec. _____. Section 148B.3, subsection 5, Code 2011,
31 is amended by striking the subsection.

32 Sec. _____. Section 148B.3, subsection 6, Code 2011,
33 is amended to read as follows:

34 6. A nonresident performing occupational therapy
35 services in the state who is not licensed under
36 this chapter, if the services are performed for not
37 more than ~~ninety~~ thirty days in a calendar year in
38 association with an occupational therapist licensed
39 under this chapter, and the nonresident meets either of
40 the following requirements:

41 a. The nonresident is licensed under the law of
42 another state which has licensure requirements at least
43 as stringent as the requirements of this chapter, ~~or.~~

44 b. The nonresident meets the requirements for
45 certification as an occupational therapist registered
46 (O.T.R.), or a certified occupational therapy assistant
47 (C.O.T.A.) established by the American national board
48 for certification in occupational therapy association.

49 Sec. _____. Section 148B.4, Code 2011, is amended to
50 read as follows:

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1 148B.4 Limited permit.

2 1. A limited permit to practice occupational
3 therapy may be granted to ~~persons~~ a person who ~~have~~
4 ~~has~~ has completed the ~~education and experience~~ academic
5 ~~and field work~~ requirements of for occupational
6 ~~therapists under this chapter and has not yet taken or~~
7 ~~received the results of the entry-level certification~~
8 ~~examination. This permit shall~~ A permit granted
9 pursuant to this subsection shall be valid for a period
10 of time as determined by the board by rule and shall
11 allow the person to practice occupational therapy under
12 the direction and appropriate supervision of a licensed
13 an occupational therapist and shall be valid until
14 the date on which the results of the next qualifying
15 examination have been made public ~~licensed under this~~
16 ~~chapter. This~~ The permit shall expire when the person
17 is issued a license under section 148B.5 or if the
18 person is notified that the person did not pass the
19 examination. The limited permit shall not be renewed
20 if the applicant has failed the examination.

21 2. A limited permit to assist in the practice of
22 occupational therapy may be granted to a person who
23 has completed the academic and field work requirements
24 for occupational therapy assistants under this chapter
25 and has not yet taken or received the results of the
26 entry-level certification examination. A permit
27 granted pursuant to this subsection shall be valid for
28 a period of time as determined by the board by rule
29 and shall allow the person to assist in the practice
30 of occupational therapy under the direction and
31 appropriate supervision of an occupational therapist
32 licensed under this chapter. The permit shall expire
33 when the person is issued a license under section
34 148B.5 or if the person is notified that the person did
35 not pass the examination. The limited permit shall not
36 be renewed.

37 Sec. _____. Section 148B.6, Code 2011, is amended to
38 read as follows:

39 148B.6 Waiver of requirements for licensing.

40 1. The board may waive the examination and grant a
41 license:

42 1. ~~to~~ To a person certified prior to January
43 1, 1981, as an occupational therapist registered
44 (O.T.R.) or a certified occupational therapy assistant
45 (C.O.T.A.) by the American ~~Occupational Therapy~~
46 ~~Association~~ occupational therapy association.

47 2. ~~The board shall waive the education and~~
48 ~~experience requirements for licensure in section~~
49 ~~148B.5, subsections 1 and 2, for applicants for a~~
50 ~~license who present evidence to the board that they~~

~~1 have been engaged in the practice of occupational
2 therapy on and prior to January 1, 1981. Proof of
3 actual practice shall be presented to the board in a
4 manner as it prescribes by rule. To obtain the benefit
5 of this waiver, an applicant must successfully complete
6 the examination within one year from January 1, 1981.
7 However, the waiver is conditional upon the applicant
8 satisfying the education and experience requirements of
9 section 148B.5, subsections 1 and 2, within five years
10 of the waiver being granted and if those requirements
11 are not satisfied at the expiration of those five years
12 the board shall revoke the license.~~

~~13 3- 2. The board may waive the examination and
14 grant a license to~~ To an applicant who presents proof
15 of current licensure as an occupational therapist
16 or occupational therapy assistant in another state,
17 the District of Columbia, or a territory of the
18 United States which requires standards for licensure
19 considered by the board to be equivalent to the
20 requirements for licensure of this chapter.

21 Sec. _____. NEW SECTION. 148B.8 Unlawful practice.

22 1. A person shall not practice occupational therapy
23 or assist in the practice of occupational therapy,
24 provide occupational therapy services, hold oneself out
25 as an occupational therapist or occupational therapy
26 assistant or as being able to practice occupational
27 therapy or assist in the practice of occupational
28 therapy, or provide occupational therapy services in
29 this state unless the person is licensed under this
30 chapter.

31 2. It is unlawful for any person not licensed as an
32 occupational therapist in this state or whose license
33 is suspended or revoked to use in connection with the
34 person's name or place of business in this state the
35 words "occupational therapist", "licensed occupational
36 therapist", or any word, title, letters, or designation
37 that implies that the person is an occupational
38 therapist.

39 3. It is unlawful for any person not licensed as an
40 occupational therapy assistant in this state or whose
41 license is suspended or revoked to use in connection
42 with the person's name or place of business in this
43 state, the words "occupational therapy assistant",
44 "licensed occupational therapy assistant", or any word,
45 title, letters, or designation that implies that the
46 person is an occupational therapy assistant.

47 Sec. _____. NEW SECTION. 148B.9 False use of titles
48 prohibited.

49 A person or business entity, including the
50 employees, agents, or representatives of the

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1 business entity, shall not use in connection with
2 that person or business entity's business activity,
3 the words "occupational therapy", "occupational
4 therapist", "licensed occupational therapist", "doctor
5 of occupational therapy", "occupational therapy
6 assistant", "licensed occupational therapy assistant",
7 or the letters "O.T.", "O.T./L.", "O.T.D.", "O.T.A.",
8 "O.T.A./L.", or any words, abbreviations, or insignia
9 indicating or implying that occupational therapy
10 is provided or supplied unless such services are
11 provided by or under the direction and supervision of
12 an occupational therapist licensed pursuant to this
13 chapter.>

14 2. Title page, line 1, by striking <of> and
15 inserting <and regulation of persons offering
16 occupational therapy services, and>

17 3. By renumbering as necessary.

By KOESTER of Polk

H-8369 FILED MARCH 27, 2012

SENATE FILE 451

H-8368

1 Amend the amendment, H-8339, to Senate File 451,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 31 through 45 and
5 inserting:

6 <3. Limitation. For the fiscal year beginning July
7 1, 2013, and each succeeding fiscal year, the ratio of
8 the amount of modified allowable growth established by
9 the department of management compared to the school
10 district's total regular program district cost shall
11 not exceed two and one-half percent. However, if the
12 school district's highest such ratio so determined for
13 any fiscal year beginning on or after July 1, 2009,
14 but before July 1, 2012, exceeded two and one-half
15 percent, the ratio shall not exceed the highest such
16 ratio established during that period.>

17 2. By renumbering as necessary.

By KOESTER of Polk

H-8368 FILED MARCH 27, 2012

SENATE FILE 451

H-8377

1 Amend the amendment, H-8339, to Senate File 451,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by striking line 46 and inserting:
5 <Sec. _____. APPLICABILITY.
6 1. Notwithstanding section 257.38, subsection 1,
7 section 257.40, subsection 1, or any other provision of
8 law to the contrary, the section of this Act enacting
9 section 257.41, subsection 2, is applicable to budget
10 years beginning on or after July 1, 2012, for purposes
11 of the appropriate uses of funding for returning
12 dropout and dropout prevention program plans approved
13 for budget years beginning on or after July 1, 2012.
14 2. The section of this Act enacting section 257.41,
15 subsection 3, is applicable to>
16 2. By renumbering as necessary.

By KOESTER of Polk

H-8377 FILED MARCH 27, 2012

SENATE FILE 2038

H-8367

1 Amend the amendment, H-8310, to Senate File 2038, as
2 passed by the Senate, as follows:
3 1. Page 1, line 44, by striking <commissioner or
4 other> and inserting <commissioner or other>
5 2. Page 1, line 45, after <training> by inserting
6 <, provided that a commissioner shall be responsible
7 for all costs associated with the commissioner's
8 attendance and completion of such certification
9 training course>
10 3. Page 1, line 47, by striking <commissioner,> and
11 inserting <commissioner,>
12 4. Page 1, line 50, by striking <commissioner,> and
13 inserting <commissioner,>

By HAGER of Allamakee

H-8367 FILED MARCH 27, 2012

SENATE FILE 2245

H-8371

1 Amend Senate File 2245, as passed by the Senate, as
2 follows:
3 1. Page 1, lines 5 and 6, by striking <committee,
4 and provide staffing assistance to the committee>
5 2. Page 1, line 6, by striking <committee shall>
6 3. Page 1, line 6, after <study> by inserting
7 <shall evaluate>
8 4. Page 1, line 9, by striking <committee> and
9 inserting <study>
10 5. By striking page 1, line 13, through page 2,
11 line 3.
12 6. Page 2, line 4, by striking <committee> and
13 inserting <commandant of the Iowa veterans home>
14 7. Page 2, line 4, after <the> by inserting
15 <department of veterans affairs, the commission of
16 veterans affairs, the department of public health, the>
17 8. Page 2, lines 7 and 8, by striking <In the
18 report the committee shall advise or> and inserting
19 <The report shall>
20 9. By renumbering as necessary.

By CHAMBERS of O'Brien

H-8371 FILED MARCH 27, 2012

SENATE FILE 2289

H-8351

1 Amend Senate File 2289, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 10 and 11 and
4 inserting <grants and case management. The department
5 of human services may solicit competitive bids and
6 enter into a contract with a term of not more than
7 three years, after which the contract may be renewed or
8 rebid, with one or more providers of a statewide>
9 2. Page 1, line 15, after <area.> by inserting <In
10 addition to including contract terms for a contractor
11 to seek reimbursement of costs for damages paid by
12 individuals with valid receipts, any contract with a
13 statewide provider shall require the provider to fund
14 or arrange with a third party to advance assistance
15 to eligible recipients for qualified expenses, with
16 such advances to be refunded to the provider by the
17 department upon receipt of documentation required by
18 the department.>

By ISENHART of Dubuque

H-8351 FILED MARCH 27, 2012

SENATE FILE 2295

H-8348

1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:

3 1. Page 1, lines 24 and 25, by striking <an
4 employer or institution based upon vicarious liability>
5 and inserting <any party other than the individual
6 accused of perpetrating the sexual abuse>

7 2. Page 2, after line 6 by inserting:

8 <Sec. _____. Section 907.3, subsection 3, unnumbered
9 paragraph 1, Code Supplement 2011, is amended to read
10 as follows:

11 By record entry at the time of or after sentencing,
12 the court may suspend the sentence and place the
13 defendant on probation upon such terms and conditions
14 as it may require including commitment to an alternate
15 jail facility or a community correctional residential
16 treatment facility to be followed by a period of
17 probation as specified in section 907.7, or commitment
18 of the defendant to the judicial district department
19 of correctional services for supervision or services
20 under section 901B.1 at the level of sanctions which
21 the district department determines to be appropriate
22 and the payment of fees imposed under section 905.14.
23 A person so committed who has probation revoked shall
24 not be given credit for such time served. However, ~~the~~
25 a person committed to an alternate jail facility or a
26 community correctional residential treatment facility
27 who has probation revoked shall be given credit for
28 time served in the facility. The court shall not
29 suspend any of the following sentences:

30 Sec. _____. APPLICABILITY AND WAIVER OF RIGHTS. A
31 person who commits an offense prior to the effective
32 date of this Act may expressly state to the court, at
33 the time of sentencing, that the person waives any
34 rights under Anderson v. State, 801 N.W.2d 1, relating
35 to the calculation of credit for time served, and agree
36 to be sentenced using credits as calculated under
37 section 907.3 as amended by this Act. If the court
38 finds the waiver voluntary, the sentencing order shall
39 reference the person's waiver of rights under Anderson,
40 and order that credit for time served be calculated
41 under section 907.3, as amended by this Act.

42 Sec. _____. EFFECTIVE UPON ENACTMENT. The following
43 provision or provisions of this Act, being deemed of
44 immediate importance, take effect upon enactment:

45 1. The section of this Act amending section 907.3.

46 2. The section of this Act relating to the waiver
47 of rights under Anderson v. State.>

48 3. Page 2, by striking lines 7 through 15 and
49 inserting:

50 <_____. Title page, by striking lines 1 and 2 and

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Page 2

1 inserting <An Act pertaining to sexually related
2 crimes, penalties, the time period to bring related
3 actions, and the calculation of credit for time served,
4 and including effective date provisions.>>

5 4. By renumbering as necessary.

By BALTIMORE of Boone

H-8348 FILED MARCH 27, 2012

SENATE FILE 2311

H-8375

1 Amend Senate File 2311, as passed by the Senate, as
2 follows:

3 1. Page 54, after line 17 by inserting:

4 <DIVISION _____

5 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
6 FUND BOARD

7 Sec. _____. Section 455G.4, subsection 1, paragraph
8 a, subparagraphs (4) and (5), Code Supplement 2011, are
9 amended to read as follows:

10 (4) ~~Two~~ One public ~~members~~ member appointed by
11 the governor and confirmed by the senate to ~~staggered~~
12 ~~a four-year terms, except that, of the first members~~
13 ~~appointed, one public member shall be appointed~~
14 ~~for a term of two years and one for a term of four~~
15 ~~years term.~~ A public member shall have experience,
16 knowledge, and expertise of the subject matter embraced
17 within this chapter. The ~~two~~ public ~~members~~ member
18 shall have experience in either, or both, financial
19 markets or insurance.

20 (5) ~~Two~~ Four owners or operators appointed by the
21 governor as follows:

22 (a) One member shall be an owner or operator who is
23 self-insured.

24 (b) One member shall be a member of the petroleum
25 marketers and convenience stores of Iowa or its
26 designee.

27 (c) One member shall be an owner or operator of
28 sites in more than one state.

29 (d) One member shall be an owner or operator of a
30 single site.

31 Sec. _____. Section 455G.4, subsection 1, paragraph
32 b, Code Supplement 2011, is amended by striking the
33 paragraph.>

34 2. By renumbering as necessary.

By S. OLSON of Clinton

PAUSTIAN of Scott

H-8375 FILED MARCH 27, 2012

SENATE FILE 2316

H-8352

1 Amend the amendment, H-8328, to Senate File 2316,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 34 by inserting:

5 <c. For providing a grant to the Grout museum
6 district for the Sullivan brothers veterans museum
7 for costs associated with the oral history exhibit
8 including but not limited to exhibit information
9 technology, computer connectivity, and interactive
10 display technologies, notwithstanding section 8.57,
11 subsection 6, paragraph "c":

12 FY 2012-2013..... \$ 150,000>

13 2. Page 4, by striking lines 4 and 5 and inserting
14 <following entities for the following fiscal years, the
15 following>

16 3. Page 4, after line 9 by inserting:

17 <FY 2012-2013>

18 4. Page 4, after line 13 by inserting:

19 <FY 2012-2013>

20 5. Page 4, after line 20 by inserting:

21 <FY 2012-2013>

22 6. Page 4, after line 35 by inserting:

23 <Sec. ____ DEPARTMENT OF CULTURAL AFFAIRS

24 For providing a grant to the Grout museum district
25 for the Sullivan brothers veterans museum for costs
26 associated with the oral history exhibit including but
27 not limited to exhibit information technology, computer
28 connectivity, and interactive display technologies,
29 notwithstanding section 8.57, subsection 6, paragraph
30 "c":

31 FY 2013-2014..... \$ 129,450>

32 7. Page 4, after line 41 by inserting:

33 <FY 2012-2013>

34 8. Page 4, after line 49 by inserting:

35 <FY 2012-2013>

36 9. Page 5, after line 4 by inserting:

37 <FY 2012-2013>

38 10. Page 5, after line 9 by inserting:

39 <FY 2012-2013>

40 11. Page 5, after line 12 by inserting:

41 <FY 2012-2013>

42 12. Page 5, after line 17 by inserting:

43 <FY 2012-2013>

44 13. By renumbering as necessary.

By KRESSIG of Black Hawk

BERRY of Black Hawk

KAJTAZOVIC of Black Hawk

SENATE FILE 2316

H-8354

1 Amend the amendment, H-8328, to Senate File 2316,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 16, by striking <20,000,000> and
5 inserting <18,500,000>

6 2. Page 3, after line 28 by inserting:

7 <____. SECRETARY OF STATE

8 For interest free loans to counties for basic
9 equipment, hardware, and software necessary to
10 implement the precinct atlas program and technology for
11 election administration, notwithstanding section 8.57,
12 subsection 6, paragraph "c":

13 FY 2012-2013..... \$ 1,500,000

14 FY 2013-2014..... \$ 1,500,000>

15 3. By renumbering as necessary.

By ISENHART of Dubuque

H-8354 FILED MARCH 27, 2012

SENATE FILE 2316

H-8373

1 Amend the amendment, H-8328, to Senate File 2316,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, after line 17 by inserting:

5 <DIVISION _____
6 ECONOMIC DEVELOPMENT AUTHORITY ---- CONTINGENT
7 APPROPRIATION

8 Sec. _____. ECONOMIC DEVELOPMENT AUTHORITY ----
9 APPROPRIATION.

10 1. For the fiscal year beginning July 1, 2013,
11 and ending June 30, 2014, there is appropriated from
12 the rebuild Iowa infrastructure fund to the economic
13 development authority \$2,000,000 for the Des Moines
14 area regional transit authority (DART) to develop a
15 bus rapid transit service including the acquisition
16 of specialty hybrid buses, construction of electronic
17 infrastructure, construction of bus stations, and
18 related improvements to develop a rapid transit
19 service, notwithstanding section 8.57, subsection 6,
20 paragraph "c".

21 2. This appropriation is contingent upon the
22 authority's receipt of local funds and the receipt of
23 a federal grant, by December 31, 2013, in an amount
24 sufficient to complete the project. The authority
25 shall notify the legislative services agency and the
26 department of management if such funds are received no
27 later than January 15, 2014.

28 Sec. _____. REVERSION. For purposes of section 8.33,
29 unless specifically provided otherwise, unencumbered
30 or unobligated moneys made from an appropriation in
31 this division of this Act shall not revert but shall
32 remain available for expenditure for the purposes
33 designated until the close of the fiscal year that ends
34 three years after the end of the fiscal year for which
35 the appropriation is made. However, if the project
36 or projects for which such appropriation was made are
37 completed in an earlier fiscal year, unencumbered or
38 unobligated moneys shall revert at the close of that
39 same fiscal year.>

40 2. By renumbering as necessary.

By OLDSON of Polk	GAINES of Polk
PETERSEN of Polk	HUNTER of Polk
ABDUL-SAMAD of Polk	R. OLSON of Polk

H-8373 FILED MARCH 27, 2012

SENATE FILE 2316

H-8376

1 Amend the amendment, H-8328, to Senate File 2316,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, after line 17 by inserting:

5 <DIVISION ____
6 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND
7 ACCOUNT -- APPROPRIATION

8 Sec. _____. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED
9 CAPITALS FUND ACCOUNT. There is appropriated from
10 the endowment for Iowa's health restricted capitals
11 fund account to the department of education for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount, or so much thereof as is
14 necessary, to be used for the purpose designated:

15 For major renovation and major repair needs,
16 including health, life, and fire safety needs and for
17 compliance with the federal Americans with Disabilities
18 Act, for state buildings and facilities under the
19 purview of the community colleges:

20 \$ 2,000,000

21 Sec. _____. REVERSION. For purposes of section 8.33,
22 unless specifically provided otherwise, unencumbered
23 or unobligated moneys made from an appropriation in
24 this division of this Act shall not revert but shall
25 remain available for expenditure for the purposes
26 designated until the close of the fiscal year that ends
27 one year after the end of the fiscal year for which
28 the appropriation is made. However, if the project
29 or projects for which such appropriation was made are
30 completed in an earlier fiscal year, unencumbered or
31 unobligated moneys shall revert at the close of that
32 same fiscal year.>

33 2. Page 6, after line 19 by inserting:

34 Sec. _____. 2009 Iowa Acts, chapter 170, section 25,
35 subsection 1, is amended to read as follows:

36 d. DEPARTMENT OF PUBLIC SAFETY

37 For construction of a state emergency response
38 training facility to be located in merged area XI:

39 \$ ~~2,000,000~~

40 0>

41 3. Page 10, by striking lines 2 and 3 and inserting
42 <rebuild Iowa infrastructure fund, the technology
43 reinvestment fund, and the endowment for Iowa's health
44 restricted capitals fund, providing for related>

45 4. By renumbering as necessary.

By COHOON of Des Moines

H-8376 FILED MARCH 27, 2012

SENATE FILE 2321

H-8349

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 13 by inserting:

5 <Sec. _____. Section 261.19, subsection 3, Code
6 Supplement 2011, is amended to read as follows:

7 3. A health care professional recruitment ~~revolving~~
8 fund is created in the state treasury as a separate
9 fund under the control of the commission for deposit of
10 moneys appropriated to or received by the commission
11 for use under the program. The commission shall
12 deposit payments made by health care professional
13 recruitment program recipients and the proceeds from
14 the sale of osteopathic loans awarded pursuant to
15 section 261.19, subsection 2, paragraph "b", Code 2011,
16 into the health care professional recruitment revolving
17 fund. Moneys credited to the fund shall be used to
18 supplement moneys appropriated for the health care
19 professional recruitment program, for loan repayment
20 in accordance with this section, and to pay for loan
21 or interest repayment defaults by program recipients.
22 Notwithstanding section 8.33, any balance in the fund
23 on June 30 of any fiscal year shall not revert to the
24 general fund of the state but shall remain in the fund
25 and be continuously available for loan forgiveness
26 under the program. Notwithstanding section 12C.7,
27 subsection 2, interest or earnings on moneys deposited
28 in the fund shall be credited to the fund.>

29 2. By renumbering as necessary.

By DOLECHECK of Ringgold

H-8349 FILED MARCH 27, 2012

SENATE FILE 2321

H-8350

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 13 by inserting:

5 <Sec. _____. Section 260C.14, Code 2011, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 23. Adopt a policy, if a portion
8 of the tuition collected by the community college
9 is set aside to provide financial assistance for
10 enrolled students, to give notice to each student
11 who pays tuition of the set-aside practice and the
12 percentage and dollar amount of tuition payments which
13 the community college sets aside to provide financial
14 assistance to students enrolled in the community
15 college. The board shall prescribe by rule the minimum
16 standards for the manner, form, and content of the
17 notice. Notice shall be prominently disclosed using
18 the following methods:

19 a. On the community college's printed tuition
20 billing statements and receipts if the community
21 college provides such billings or receipts to its
22 students as evidence of tuition payment.

23 b. By written and electronic communication if the
24 community college does not provide printed tuition
25 billing statements or receipts as evidence of tuition
26 payment.

27 c. In all written and electronic communications
28 sent by the community college to a student related to
29 the student's tuition charges.>

30 2. Page 18, after line 45 by inserting:

31 <Sec. _____. Section 262.9, Code Supplement 2011, is
32 amended by adding the following new subsection:

33 NEW SUBSECTION. 36. Direct the institutions of
34 higher education under its control that set aside a
35 portion of the tuition collected by the institution to
36 provide financial assistance for enrolled students, to
37 give notice to each student who pays tuition of the
38 set-aside practice and the percentage and dollar amount
39 of tuition payments which the institution sets aside to
40 provide financial assistance to students enrolled in
41 the institution. The state board shall prescribe by
42 rule the minimum standards for the manner, form, and
43 content of the notice. Notice shall be prominently
44 disclosed using the following methods:

45 a. On the institution's printed tuition billing
46 statements and receipts if the institution provides
47 such billings or receipts to its students as evidence
48 of tuition payment.

49 b. By written and electronic communication if the
50 institution does not provide printed tuition billing

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Page 2

- 1 statements or receipts as evidence of tuition payment.
- 2 c. In all written and electronic communications
- 3 sent by the institution to a student related to the
- 4 student's tuition charges.>
- 5 3. By renumbering as necessary.

By RAECKER of Polk

H-8350 FILED MARCH 27, 2012

SENATE FILE 2321

H-8355

- 1 Amend the amendment, H-8327, to Senate File 2321,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 11, before line 38 by inserting:
- 5 <d. Notwithstanding section 260C.14, subsection
- 6 2, or any other provision of law to the contrary, the
- 7 board of directors of a community college shall not
- 8 implement an increase in tuition for the 2012-2013
- 9 fiscal year.>
- 10 2. By renumbering as necessary.

By MURPHY of Dubuque

H-8355 FILED MARCH 27, 2012

SENATE FILE 2321

H-8356

- 1 Amend the amendment, H-8327, to Senate File 2321,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, after line 25 by inserting:
- 5 <Sec. _____. 2011 Iowa Acts, chapter 132, section
- 6 101, is amended to read as follows:
- 7 SEC. 101. WORK-STUDY APPROPRIATION FOR FY
- 8 2012-2013. Notwithstanding section 261.85, for the
- 9 fiscal year beginning July 1, 2012, and ending June 30,
- 10 2013, the amount appropriated from the general fund of
- 11 the state to the college student aid commission for the
- 12 work-study program under section 261.85 shall be ~~zero~~
- 13 \$250,000.>
- 14 2. By renumbering as necessary.

By WOLFE of Clinton

HANSON of Jefferson

H-8356 FILED MARCH 27, 2012

SENATE FILE 2321

H-8357

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, after line 40 by inserting:
5 <The department shall not implement amendments
6 to section 256.44 enacted during the 84th General
7 Assembly, 2012 Regular Session, unless and until an
8 entity established by the governor or the general
9 assembly in 2012 to study teacher performance,
10 compensation, and career development includes provision
11 for the national board for professional teaching
12 standards awards in any plan the entity submits in a
13 final report to the governor and general assembly.>

By MASCHER of Johnson

H-8357 FILED MARCH 27, 2012

SENATE FILE 2321

H-8358

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by striking lines 6 through 19 and
5 inserting:

6 <8. REGISTERED NURSE AND NURSE EDUCATOR LOAN
7 FORGIVENESS PROGRAM

8 a. For purposes of the registered nurse and nurse
9 educator loan forgiveness program established pursuant
10 to section 261.23:

11	\$	40,426
12		<u>80,852</u>

13 b. It is the intent of the general assembly that
14 the commission continue to consider moneys allocated
15 pursuant to this subsection as moneys that meet the
16 state matching funds requirements of the federal
17 leveraging educational assistance program and the
18 federal supplemental leveraging educational assistance
19 program established under the Higher Education Act of
20 1965, as amended.>

21 2. By renumbering as necessary.

By MASCHER of Johnson

H-8358 FILED MARCH 27, 2012

SENATE FILE 2321

H-8359

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 33 by inserting:

5 <Sec. _____. NEW SECTION. 261.115 Public service
6 loan repayment program.

7 1. A public service loan repayment program is
8 established to be administered by the commission.

9 2. An individual is eligible for the program if
10 the individual is a resident of Iowa and is employed
11 full-time by a public service organization located in
12 Iowa. For purposes of this section, "public service
13 organization" includes a state agency, an institution
14 of higher education governed by the state board of
15 regents, an area education agency, a school district,
16 a public child or family service agency, a nonprofit
17 organization that is exempt from taxation under section
18 501(a) of the Internal Revenue Code, or a private
19 organization that is a not-for-profit business, a
20 labor union, a partisan political organization, or
21 an organization engaged in religious activities that
22 provides any of the following secular services:

- 23 a. Emergency management.
- 24 b. Military service.
- 25 c. Public safety.
- 26 d. Law enforcement.
- 27 e. Public interest law services.
- 28 f. Early childhood education.
- 29 g. Public service for individuals with disabilities
30 and the elderly.
- 31 h. Public health.
- 32 i. Public education.
- 33 j. Public library services.

34 k. School library or other school-based services.
35 3. Each applicant for loan repayment shall submit
36 information requested by the commission in the manner
37 required by the commission, including but not limited
38 to an affidavit of employment verifying that the
39 applicant meets the requirements of subsection 2.

40 4. The annual amount of loan repayment shall
41 not exceed twenty percent of the individual's total
42 federally guaranteed Stafford loan amount under
43 the federal family education loan program or the
44 federal direct loan program, including principal and
45 interest, whichever amount is less. The total amount
46 of loan repayment to an individual pursuant to this
47 subsection shall not exceed fifty thousand dollars.
48 An individual shall be eligible to apply for the loan
49 repayment program for not more than five years, but the
50 individual has ten years to complete the employment

1 requirements.

2 5. A public service loan repayment fund is created
3 in the state treasury as a separate fund under the
4 control of the commission. The fund shall consist of
5 any moneys appropriated by the general assembly and any
6 other moneys available to and obtained or accepted by
7 the commission from the federal government or private
8 sources for placement in the fund. Notwithstanding
9 section 8.33, moneys deposited in the fund shall
10 not revert to any fund of the state at the end of
11 any fiscal year but shall remain in the fund and be
12 continuously available for purposes of this section.
13 Notwithstanding section 12C.7, subsection 2, interest
14 or earnings on moneys deposited in the fund shall be
15 credited to the fund.

16 6. The commission shall submit by January 1
17 annually a report to the general assembly listing the
18 number of individuals who received loan repayment
19 pursuant to this section during the most recent fiscal
20 year, the types of public service organizations by
21 which the program participants were employed, the
22 amount paid to each program participant, and other
23 information identified by the commission as indicators
24 of outcomes from the program.>

25 2. Page 18, after line 45 by inserting:

26 <Sec. _____. Section 262.9, subsection 9, Code
27 Supplement 2011, is amended to read as follows:

28 9. Accept and administer trusts and may authorize
29 nonprofit foundations acting solely for the support
30 of institutions governed by the board to accept and
31 administer trusts deemed by the board to be beneficial.
32 Notwithstanding the provisions of section 633.63, the
33 board and such nonprofit foundations may act as trustee
34 in such instances. Beginning July 1, 2013, the board
35 shall require the foundations to ask each individual
36 who makes a charitable donation to the foundation
37 whether the donor will permit five percent of the
38 amount donated to be set aside by the foundation for
39 deposit into a scholarship fund for students enrolled
40 at the institution for which the foundation is acting.

41 Sec. _____. Section 262.9, Code Supplement 2011, is
42 amended by adding the following new subsection:

43 NEW SUBSECTION. 36. Develop and implement by
44 July 1, 2014, a policy addressing the measures that
45 institutions of higher education governed by the board
46 shall take to provide financial literacy information,
47 tools, and skills to the institutions' students.

48 Sec. _____. Section 262.26, Code 2011, is amended to
49 read as follows:

50 262.26 Report of board.

1 The board shall, biennially, at the time provided by
2 law, report to the governor and the legislature such
3 facts, observations, and conclusions respecting each
4 of such institutions as in the judgment of the board
5 should be considered by the legislature. Such report
6 shall contain an itemized account of the receipts
7 and expenditures of the board, and also the reports
8 made to the board by the executive officers of the
9 several institutions or a summary thereof, and shall
10 submit budgets for biennial appropriations deemed
11 necessary and proper to be made for the support of the
12 several institutions and for the extraordinary and
13 special expenditures for buildings, betterments, and
14 other improvements. Beginning July 1, 2013, reports
15 submitted to the board by the executive officers of
16 the institutions of higher education governed by the
17 board pursuant to this section shall include but not
18 be limited to the four-year, five-year, and six-year
19 student graduation rates of the institutions.>

20 3. By renumbering as necessary.

By WESSEL-KROESCHELL of Story
HEDDENS of Story

SENATE FILE 2321

H-8361

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 4 by inserting:

5 <DIVISION _____
6 FY 2012-2013 EDUCATION APPROPRIATIONS>

7 2. Page 11, by striking line 7 and inserting
8 <188,774,647>

9 3. Page 11, by striking lines 14 through 28 and
10 inserting:

11	< (1) Merged Area I	\$ 9,410,108
12	(2) Merged Area II	\$ 9,618,608
13	(3) Merged Area III	\$ 8,869,371
14	(4) Merged Area IV	\$ 4,362,345
15	(5) Merged Area V	\$ 10,583,054
16	(6) Merged Area VI	\$ 8,504,520
17	(7) Merged Area VII	\$ 12,895,629
18	(8) Merged Area IX	\$ 16,261,078
19	(9) Merged Area X	\$ 29,382,410
20	(10) Merged Area XI	\$ 30,644,465
21	(11) Merged Area XII	\$ 10,588,450
22	(12) Merged Area XIII	\$ 11,187,562
23	(13) Merged Area XIV	\$ 4,444,054
24	(14) Merged Area XV	\$ 13,939,682
25	(15) Merged Area XVI	\$ 8,083,311>

26 4. Page 11, by striking lines 33 through 37 and
27 inserting:

28 <~~e. For deposit in the workforce training and~~
29 ~~economic development funds created pursuant to section~~
30 ~~260C.18A:~~

31 ~~..... \$ 2,500,000>~~

32 5. Page 20, after line 12 by inserting:

33 <DIVISION _____
34 WORKER TRAINING PROGRAMS IN COMMUNITY COLLEGES

35 Sec. _____. Section 84A.6, Code Supplement 2011, is
36 amended by adding the following new subsection:

37 NEW SUBSECTION. 4. The department of workforce
38 development, in consultation with the college student
39 aid commission, shall issue a quarterly report
40 identifying industries in which the department finds
41 a shortage of skilled workers in this state for the
42 purposes of the skilled workforce shortage tuition
43 grant program established in section 261.130.

44 Sec. _____. Section 260C.18A, subsection 1, Code
45 Supplement 2011, is amended by adding the following new
46 paragraph:

47 NEW PARAGRAPH. c. There is appropriated from the
48 general fund of the state to the workforce training and
49 economic development funds, the following amounts:

50 (1) For the fiscal year beginning July 1, 2012,

1 and ending June 30, 2013, the sum of twelve million
2 dollars.

3 (2) For the fiscal year beginning July 1, 2013,
4 and ending June 30, 2014, the sum of twelve million
5 dollars.

6 (3) For the fiscal year beginning July 1, 2014,
7 and ending June 30, 2015, the sum of twelve million
8 dollars.

9 Sec. _____. Section 260C.18A, subsection 2, Code
10 Supplement 2011, is amended by adding the following new
11 paragraph:

12 NEW PARAGRAPH. j. Development and implementation
13 of the national career readiness certificate and the
14 skills certification system endorsed by the national
15 association of manufacturers.

16 Sec. _____. Section 260I.2, Code Supplement 2011, is
17 amended to read as follows:

18 260I.2 Gap tuition assistance program ---- fund ----
19 appropriation.

20 1. A gap tuition assistance program is established
21 to provide funding to community colleges for need-based
22 tuition assistance to applicants to enable completion
23 of continuing education certificate training programs
24 for in-demand occupations.

25 2. a. There is established for the community
26 colleges a gap tuition assistance fund in the state
27 treasury to be administered by the department of
28 education. The funds in the gap tuition assistance
29 fund are appropriated to the department of education
30 for the gap tuition assistance program.

31 b. There is appropriated from the general fund
32 of the state to the gap tuition assistance fund, the
33 following amounts:

34 (1) For the fiscal year beginning July 1, 2012, and
35 ending June 30, 2013, the sum of two million dollars.

36 (2) For the fiscal year beginning July 1, 2013, and
37 ending June 30, 2014, the sum of two million dollars.

38 (3) For the fiscal year beginning July 1, 2014, and
39 ending June 30, 2015, the sum of two million dollars.

40 c. The aggregate total of grants awarded from the
41 gap tuition assistance fund during a fiscal year shall
42 not be more than two million dollars.

43 d. Moneys in the fund shall be allocated pursuant
44 to the formula established in section 260C.18C.
45 Notwithstanding section 8.33, moneys in the fund
46 at the close of the fiscal year shall not revert
47 to the general fund of the state but shall remain
48 available for expenditure for the purpose designated
49 for subsequent fiscal years. Notwithstanding section
50 12C.7, subsection 2, interest or earnings on moneys in

1 the fund shall be credited to the fund.

2 Sec. _____. Section 260I.7, Code Supplement 2011, is
3 amended to read as follows:

4 260I.7 Initial assessment.

5 An applicant for tuition assistance under this
6 chapter shall complete an initial assessment
7 administered by the community college receiving the
8 application to determine the applicant's readiness
9 to complete an eligible certificate program. The
10 assessment shall include assessments for completion of
11 a national career readiness certificate, including the
12 areas of reading for information, applied mathematics,
13 and locating information. ~~An applicant must achieve a~~
14 ~~bronze level certificate or the minimum score required~~
15 ~~for an eligible certificate program, whichever is~~
16 ~~higher, in order to be approved for tuition assistance.~~
17 An applicant shall complete any additional assessments
18 and occupational research required by an eligible
19 certificate program.

20 Sec. _____. NEW SECTION. 261.130 Skilled workforce
21 shortage tuition grant program ---- appropriation.

22 1. A skilled workforce shortage tuition grant may
23 be awarded to any resident of Iowa who is admitted and
24 in attendance as a full-time or part-time student in
25 a career-technical or career option program to pursue
26 an associate's degree or other training at a community
27 college in the state, and who establishes financial
28 need.

29 2. Skilled workforce shortage tuition grants shall
30 be awarded only to students pursuing a career-technical
31 or career option program in an industry identified as
32 having a shortage of skilled workers by a community
33 college after conducting a regional skills gap analysis
34 or by the department of workforce development in the
35 department's most recent quarterly report pursuant to
36 section 84A.6, subsection 4.

37 3. The amount of a skilled workforce shortage
38 tuition grant shall not exceed the lesser of one-half
39 of a student's tuition and fees for an approved
40 career-technical or career option program or the amount
41 of the student's established financial need.

42 4. All classes identified by the community college
43 as required for completion of the student's approved
44 career-technical or career option program shall be
45 considered a part of the student's career-technical or
46 career option program for the purpose of determining
47 the student's eligibility for a grant. Notwithstanding
48 subsection 5, if a student is making satisfactory
49 academic progress but the student cannot complete
50 a career-technical or career option program in the

1 time frame allowed for a student to receive a skilled
2 workforce shortage tuition grant as provided in
3 subsection 5 because additional classes are required
4 to complete the program, the student may continue to
5 receive a skilled workforce shortage tuition grant for
6 not more than one additional enrollment period.

7 5. a. A qualified full-time student may receive
8 skilled workforce shortage tuition grants for not
9 more than four semesters or the trimester or quarter
10 equivalent of two full years of study. A qualified
11 part-time student enrolled in a course of study
12 including at least three semester hours but fewer than
13 twelve semester hours or the trimester or quarter
14 equivalent may receive skilled workforce shortage
15 tuition grants for not more than eight semesters or the
16 trimester or quarter equivalent of two full years of
17 full-time study.

18 b. However, if a student resumes study after at
19 least a two-year absence, the student may again be
20 eligible for the specified amount of time, except that
21 the student shall not receive assistance for courses
22 for which credit was previously received.

23 6. A skilled workforce shortage tuition grant shall
24 be awarded on an annual basis, requiring reapplication
25 by the student for each year. Payments under the
26 grant shall be allocated equally among the semesters
27 or quarters of the year upon certification by the
28 community college that the student is in full-time or
29 part-time attendance in a career-technical or career
30 option program consistent with the requirements of
31 this section. If the student discontinues attendance
32 before the end of any term after receiving payment
33 of the grant, the entire amount of any refund due
34 that student, up to the amount of any payments made
35 under the annual grant, shall be paid by the community
36 college to the state.

37 7. If a student receives financial aid under any
38 other program, the full amount of that financial aid
39 shall be considered part of the student's financial
40 resources available in determining the amount of the
41 student's financial need for that period.

42 8. The commission shall administer this program and
43 shall:

44 a. Provide application forms for distribution to
45 students by Iowa high schools and community colleges.

46 b. Adopt rules for approving career-technical or
47 career option programs in industries identified by the
48 department of workforce development pursuant to section
49 84A.6, subsection 4; determining financial need;
50 defining residence for the purposes of this section;

1 processing and approving applications for grants; and
2 determining priority for grants.

3 c. Approve and award grants on an annual basis.

4 d. Make an annual report to the governor and
5 general assembly. The report shall include the number
6 of students receiving assistance and the industries
7 identified by the community colleges and by the
8 department of workforce development pursuant to section
9 84A.6, subsection 4, for which students were admitted
10 to a career-technical or career option program.

11 9. Each applicant, in accordance with the rules
12 established by the commission, shall:

13 a. Complete and file an application for a skilled
14 workforce shortage tuition grant.

15 b. Be responsible for the submission of the
16 financial information required for evaluation of the
17 applicant's need for a grant, on forms determined by
18 the commission.

19 c. Report promptly to the commission any
20 information requested.

21 d. Submit a new application for reevaluation of
22 the applicant's eligibility to receive a second-year
23 renewal of the grant.

24 10. a. There is appropriated from the general
25 fund of the state to the commission for the skilled
26 workforce shortage tuition grant program, the following
27 amounts:

28 (1) For the fiscal year beginning July 1, 2012, and
29 ending June 30, 2013, the sum of six million dollars.

30 (2) For the fiscal year beginning July 1, 2013, and
31 ending June 30, 2014, the sum of six million dollars.

32 (3) For the fiscal year beginning July 1, 2014, and
33 ending June 30, 2015, the sum of six million dollars.

34 b. Notwithstanding section 8.33, moneys
35 appropriated in this subsection that remain
36 unencumbered or unobligated at the close of the fiscal
37 year shall not revert but shall remain available for
38 expenditure for the purposes designated until the close
39 of the fiscal year that begins July 1, 2014.>

40 6. By renumbering as necessary.

By HALL of Woodbury	LYKAM of Scott
WINCKLER of Scott	MASCHER of Johnson
STECKMAN of Cerro Gordo	MCCARTHY of Polk
ABDUL-SAMAD of Polk	H. MILLER of Webster
BERRY of Black Hawk	MUHLBAUER of Crawford
COHOON of Des Moines	MURPHY of Dubuque
GAINES of Polk	OLDSON of Polk
GASKILL of Wapello	R. OLSON of Polk
HANSON of Jefferson	T. OLSON of Linn
HEDDENS of Story	PETERSEN of Polk
HUNTER of Polk	RUNNING-MARQUARDT of Linn
ISENHART of Dubuque	T. TAYLOR of Linn
JACOBY of Johnson	THEDE of Scott
KAJTAZOVIC of Black Hawk	THOMAS of Clayton
KEARNS of Lee	WESSEL-KROESCHELL of Story
KELLEY of Jasper	WITTNEBEN of Emmet
KRESSIG of Black Hawk	WOLFE of Clinton
LENSING of Johnson	

H-8361 FILED MARCH 27, 2012

SENATE FILE 2321

H-8362

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 12, line 38, by striking <191,737,311> and
5 inserting <221,538,802>
6 2. Page 14, after line 27 by inserting:
7 <m. For the Iowa flood center for use by the
8 university's college of engineering pursuant to section
9 466C.1:
10 \$ 1,500,000>
11 3. Page 14, line 34, by striking <154,245,198> and
12 inserting <173,592,567>
13 4. Page 15, line 22, by striking <71,734,586> and
14 inserting <82,939,749>
15 5. Page 15, line 38, by striking <1,734,656> and
16 inserting <4,734,656>

By WESSEL-KROESCHELL of Story	HUNTER of Polk
HEDDENS of Story	ISENHART of Dubuque
JACOBY of Johnson	KEARNS of Lee
MASCHER of Johnson	MCCARTHY of Polk
LENSING of Johnson	MUHLBAUER of Crawford
WILLEMS of Linn	MURPHY of Dubuque
BERRY of Black Hawk	OLDSON of Polk
KAJTAZOVIC of Black Hawk	R. OLSON of Polk
KRESSIG of Black Hawk	T. OLSON of Linn
WINCKLER of Scott	PETERSEN of Polk
HANSON of Jefferson	RUNNING-MARQUARDT of Linn
STECKMAN of Cerro Gordo	T. TAYLOR of Linn
ABDUL-SAMAD of Polk	WITTNEBEN of Emmet
GAINES of Polk	WOLFE of Clinton
GASKILL of Wapello	

H-8362 FILED MARCH 27, 2012

SENATE FILE 2321

H-8363

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 13 by inserting:

5 <Sec. ____ . Section 261.19, subsection 3, Code
6 Supplement 2011, is amended to read as follows:

7 3. A health care professional recruitment revolving
8 fund is created in the state treasury as a separate
9 fund under the control of the commission for deposit of
10 moneys appropriated to or received by the commission
11 for use under the program. The commission shall
12 deposit payments made by health care professional
13 recruitment program recipients and the proceeds from
14 the sale of osteopathic loans awarded pursuant to
15 section 261.19, subsection 2, paragraph "b", Code 2011,
16 into the health care professional recruitment revolving
17 fund. Moneys credited to the fund shall be used to
18 supplement moneys appropriated for the health care
19 professional recruitment program, for loan repayment
20 in accordance with this section, and to pay for loan
21 or interest repayment defaults by program recipients.
22 Notwithstanding section 8.33, any balance in the fund
23 on June 30 of any fiscal year shall not revert to the
24 general fund of the state but shall remain in the fund
25 and be continuously available for loan forgiveness
26 under the program. Notwithstanding section 12C.7,
27 subsection 2, interest or earnings on moneys deposited
28 in the fund shall be credited to the fund.>

29 2. By renumbering as necessary.

By WINCKLER of Scott
HEDDENS of Story

H-8363 FILED MARCH 27, 2012

SENATE FILE 2321

H-8364

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by striking lines 20 through 25 and
5 inserting:

6 <9. BARBER AND COSMETOLOGY ARTS AND SCIENCES
7 TUITION GRANT PROGRAM

8 For purposes of the barber and cosmetology arts and
9 sciences tuition grant program established pursuant to
10 section 261.18:

11 \$ 18,469
12 36,938>

13 2. By renumbering as necessary.

By STECKMAN of Cerro Gordo
WINCKLER of Scott
ISENHART of Dubuque

H-8364 FILED MARCH 27, 2012

SENATE FILE 2321

H-8365

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, line 44, by striking <4,024,434> and
5 inserting <6,969,021>

By WINCKLER of Scott
LENSING of Johnson

H-8365 FILED MARCH 27, 2012

SENATE FILE 2321

H-8366

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, by striking lines 34 through 45.
5 2. By renumbering as necessary.

By ABDUL-SAMAD of Polk
GAINES of Polk

H-8366 FILED MARCH 27, 2012

Fiscal Note

Fiscal Services Division



SF 2315 – Adult Mental Health and Disability Services System Redesign (LSB 5488SV.2)
Analyst: Jess Benson (Phone: 515-281-4611) (jess.benson@legis.state.ia.us)
Fiscal Note Version – As amended by H-8330

Description

House amendment **H-8330** will create a new Mental Health levy beginning July 1, 2013, with a cap of \$125.8 million, the same dollar amount as the current levy. The levy will be converted to a county per capita dollar amount based on general population of \$41.28 and reduced over five years with dollar-for-dollar property tax relief from the State. If in any fiscal year a county's base year levy cap is less than the per capita dollar amount, the State will provide an equalization payment to make up the difference. In addition, the amendment provides a statewide per capita expenditure target set at \$41.28 per capita plus growth. The growth is set at 3.0% for the first year and is set by the General Assembly in subsequent years. If the General Assembly does not provide adequate funds to meet the per capita expenditure, target counties are allowed to levy the funds necessary to meet that target.

Background

Counties are limited to the current maximum Mental Health Property Tax Levy of \$125.8 million for FY 2013. In FY 2012, counties levied \$118.3 million. **Senate File 209** (Tax Changes and Supplemental Appropriations Act) repealed the current Mental Health Property Tax Levy effective July 1, 2013.

Assumptions

In FY 2014, counties that levy more than \$41.28 per capita will be required to reduce their property tax levy to \$41.28 to meet a new per capita dollar cap. This will reduce property taxes by \$17.3 million. In addition, counties with per capita rates less than \$41.28 per capita target will receive State appropriations to meet that target. It is estimated that it will cost the State \$17.3 million to bring all counties below the target up to \$41.28 per capita.

In FY 2015 to FY 2018, the per capita property tax dollar target will be reduced annually by \$10.32 with the State providing dollar-for-dollar property tax relief each time the rate is reduced. The State will continue to provide equalization dollars to meet the target rates for counties that levy below the target.

The General Assembly will provide an annual growth appropriation for county Mental Health non-Medicaid expenditures based on a percentage increase for both State and county dollars over the base year of \$41.28 per capita. For FY 2014, that growth is set at 3.0%. No growth has been set for FY 2015 through FY 2018, but for purposes of illustration 3.0% is used in this fiscal analysis.

Fiscal Impact

For purposes of illustration, **Table 1** below illustrates the estimated annual cost to the General Fund when 3.0% annual growth is assumed.

Table 1
Five-Year Levy Buyout and Non-Medicaid Growth

<u>Fiscal Year</u>	<u>County Levy Buyout</u>	<u>3.0% Growth</u>	<u>State Dollars</u>
FY 2014	\$ 17,331,680	\$ 3,773,456	\$ 21,105,135
FY 2015	18,722,600	3,885,784	22,608,384
FY 2016	27,076,619	4,002,358	31,078,977
FY 2017	31,184,252	4,122,428	35,306,681
FY 2018	31,438,384	4,246,101	35,684,485
	<u>\$ 125,753,535</u>	<u>\$ 20,030,127</u>	<u>\$ 145,783,662</u>

Sources

LSA Analysis

/s/ Holly M. Lyons

March 26, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 2453 – Sales Tax Rebate for Field of Dreams (LSB 5471HZ)
Analyst: Shawn Snyder (Phone: 515-281-7799) (shawn.snyder@legis.state.ia.us)
Fiscal Note Version – New

Description

House File 2453 provides a sales tax rebate to owners of a baseball and softball tournament facility and movie site that meets specified requirements. The proposed complex near Dyersville meets the specifications required in the Bill. The rebate will begin January 1, 2014, and remain in place for 10 years or until a total of \$16.5 million in sales tax has been rebated.

Background

Specifications in the Bill will limit eligibility for the sales tax rebate to the proposed baseball and softball tournament facility near Dyersville. Additionally, the Bill requires the cost of construction upon completion to total at least \$38.0 million.

Assumption

The estimate assumes that the project will proceed under current law.

Fiscal Impact

The baseball and softball tournament facility and movie site will receive a maximum sales tax rebate totaling \$16.5 million over 10 fiscal years, beginning FY 2015. State sales/use tax for school infrastructure (Secure an Advanced Vision for Education – SAVE) funds will not be rebated.

Sources

Department of Revenue
Strategic Economics Group

March 27, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Iowa Code section 2.56](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2447 – Renewable Energy, Geothermal (LSB 2648HZ)

Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)

Fiscal Note Version – New

Description

House File 2447 creates an individual income tax credit for the installation of a residential geothermal heat pump. The new income tax credit is equal to 20.0% of the federal residential energy efficiency tax credit available for geothermal heat pump installations. The federal credit is equal to 30.0% of qualified geothermal heat pump installation expenditures and is set to expire December 31, 2016. The Iowa tax credit will continue to be available should the federal tax credit be extended. The new State tax credit is not refundable, but unused credits can be carried forward and utilized by the taxpayer in future fiscal years.

The Bill also prevents the installation of a geothermal heat pump system from increasing the assessed value of residential property for 10 assessment years. This applies to systems installed on or after July 1, 2012, and first assessed for property tax purposes on January 1, 2013 (FY 2015).

Assumptions

- The Iowa Utilities Board estimates that 2,000 residential geothermal installations occur each year (new construction and replacement systems).
- The Department of Revenue estimates that the average cost of installation is \$17,500. An individual income tax credit based on 20.0% of the 30.0% federal credit equals a State tax credit of \$1,050, and using the redemption patterns of other nonrefundable tax credits, it is assumed the \$1,050 will be utilized:
 - a. First tax year = 56.0%
 - b. Second tax year = 21.0%
 - c. Third tax year = 5.0%
 - d. Fourth through tenth tax years = 1.8%
- The Department of Revenue's Iowa Real Property Appraisal Manual places an additional property value equal to \$4.00 per square foot for the installation of a geothermal heating system in a single-family residential home. Due to construction-quality grade adjustments, the typical square foot adjustment for a geothermal heat pump home is \$4.88 per square foot.
- Polk County property assessment data indicate that the median square footage of a home with a geothermal heat pump is 1,792 square feet. At \$4.88 per square foot, this is \$8,745 in assessed value per installation.

- The residential rollback is 50.7518% for assessment year 2011 (FY 2013) and is projected to rise over the next eight years. For estimating purposes, a rollback value of 55.0000% was used.
- The FY 2012 average residential tax rate was \$35.68 per \$1,000 of taxable value and that rate was assumed for this estimate. The school aid basic levy represents \$5.40 of the \$35.58 average tax rate.
- Given the above property tax related assumptions, the average property tax reduction associated with this proposed exemption is \$172 per year for 10 years (\$1,720).

Fiscal Impact

The new individual income tax credit created in the Bill is projected to reduce income taxes paid to the State by \$1.2 million in FY 2013 and increase to \$1.8 million by FY 2017. Due to the expiration of the federal credit, the net General Fund impact is projected to decrease to zero by FY 2025. The Bill will also have a modest negative impact (\$36,000 to \$50,000 per year) on revenue generated by the local option income surtax for schools.

The property tax exemption created in the Bill is projected to reduced property taxes owed by the impacted taxpayers by \$0.1 million in FY 2015 and that impact will grow in annual increments of approximately \$300,000 through FY 2024. Through the school aid formula, the State General Fund appropriations will replace approximately 15.1% of the property tax reduction and the remaining impact will represent reduced local government property tax revenue.

	Fiscal Impacts in Millions of Dollars		
	State General Fund Revenue Reduction	State School Aid Appropriation Increase	Local Property Tax Revenue Reduction
FY 2013	\$ 1.2	\$ 0.0	\$ 0.0
FY 2014	1.6	0.0	0.0
FY 2015	1.7	0.0	0.1
FY 2016	1.8	0.1	0.4
FY 2017	1.8	0.1	0.7
FY 2018	0.7	0.2	1.0
FY 2019	0.4	0.2	1.3
FY 2020	0.3	0.3	1.6
FY 2021	0.3	0.3	1.9
FY 2022	0.3	0.4	2.2
FY 2023	0.2	0.4	2.5
FY 2024	0.1	0.5	2.8

Sources

Iowa Utilities Board
Department of Revenue
Iowa Real Property Appraisal Manual
Polk County residential assessment statistics

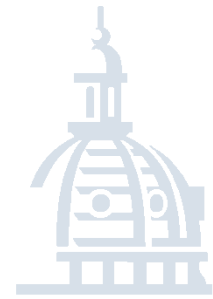
/s/ Holly M. Lyons

March 27, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 451 – School Dropout Prevention (LSB 1558H8339)

Analyst: Shawn Snyder (Phone: 515-281-7799) (shawn.snyder@legis.state.ia.us)

Fiscal Note Version – As Amended by **H-8339**

Description

Senate File 451 as amended by **H-8339** codifies appropriate uses of Returning Dropout and Dropout Prevention Program funding. Additionally, the amendment restricts the modified allowable growth (MAG) amount a district can request to the ratio established in FY 2012 (the current law maximum ratio is 5.0%). However, a district with a ratio below 2.5% could request MAG up to a ratio of 2.5%. The MAG ratio is the amount of MAG requested as a ratio to the district total regular program cost.

Background

Currently, appropriate uses for Returning Dropout and Dropout Prevention Program funding are established by Department of Education rule. Amendment **H-8339** modifies and expands appropriate uses of Program funds.

The amount of MAG approved for Returning Dropout and Dropout Prevention Program is funded through local property tax. Both the number of districts and the amount of MAG for the program increased through FY 2011. The amount of MAG for the program decreased to \$103.6 million and the percentage of districts decreased to 91.7% of the districts participating in FY 2012

Returning Dropout and Dropout Prevention Program Modified Allowable Growth (MAG) and Remaining Capacity Amounts FY 2010 - FY 2012 (Dollars in Millions)

Fiscal Year	Modified Allowable Growth (MAG) For Returning Dropout and Dropout Prevention Programs	Number of Districts with MAG for Program	Percentage of Districts with MAG for Program	Remaining MAG Capacity for the Program
FY 2010	\$ 106.8	334	92.5%	\$ 31.9
FY 2011	108.5	335	93.3%	32.8
FY 2012	103.6	322	91.7%	38.6

Assumptions

- Of the 351 school districts, 116 school districts had ratios below 2.5% in FY 2012, including 29 districts with a ratio of 0.0%. The remaining 235 districts had a ratio between 2.5% and 5.0% in FY 2012, including 20 with a ratio of 5.0% (the maximum ratio under current law).
- Freezing the ratio of MAG rate a school district can request at the district's FY 2012 ratio or 2.5%, whichever is greater, will reduce the MAG capacity from \$142.2 million to \$110.3 million, a reduction of \$31.9 million (based on FY 2012 data). The freeze will not occur until FY 2014.

- The 116 districts that were below the 2.5% ratio level in FY 2012 generated \$9.9 million for MAG for the Returning Dropout and Dropout Prevention Program. Based on the FY 2012 data, if each of these districts were at the 2.5% ratio level the total would have increased by \$6.6 million. However, capping the maximum ratio for these 116 districts will reduce the remaining MAG capacity for these districts from \$33.2 million to \$16.6 million, a reduction of \$16.6 million.
- The 235 districts that were at or above the 2.5% ratio level in FY 2012 generated \$93.7 million for MAG for the Returning Dropout and Dropout Prevention Program. Capping the maximum ratio for these 235 districts will reduce the remaining MAG capacity for these districts from \$109.0 million to \$93.7 million, a reduction of \$15.3 million.
- In FY 2011, the restricted ending fund balance reserved for the Returning Dropout and Dropout Prevention Program totaled \$23.1 million. These funds will be available for use in future fiscal years and will limit the amount of modified allowable growth requested by a like amount.

Fiscal Impact

There is no State General Fund impact as a result of the Bill as amended by [H-8339](#). The impact on school district property tax amounts is unknown and may vary between districts. Although the amendment allows for expanded uses of the program funds, school districts will either be capped at the FY 2012 ratio, or the 2.5% ratio, whichever is greater. In future fiscal years, any increases in MAG for the Returning Dropout and Dropout Prevention Program will likely be the result of future allowable growth rates and/or increased enrollments for individual school districts.

Sources

Iowa Department of Management, School Aid file
LSA analysis and calculations

/s/ Holly M. Lyons

March 27, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
